

**BOARD OF EMERGENCY MEDICAL SERVICES
JULY 7, 2005**

The meeting of the Board of Emergency Medical Services was called to order by Bob Olson, Chairperson, at 10:00 a.m. The meeting was held at the Holiday Inn, 110 South 2nd Ave, Board Room, Kearney, NE. 68848. Copies of the agenda had been sent to board members and other interested parties at least ten days prior to the meeting. Roll was taken and the following board members were present:

Ron Balthazor	Shawn Baumgartner
Bruce Beins	Joel Cerny
Bob Dunn	Dave Engler
Dan Hakel	Rommie Hughes
Ben Lans	Bob Olson
Clint Rasmussen	Earl Rudolph
Val Snyder	Tom Surber
Mike Westcott	

Members absent Mike Buscher and Diane Yetter.

Credentialing Staff present were:

Diane Hansmeyer, Section Administrator
Pam Harris, Credentialing Specialist

AGENDA

Rudolph moved to approve the agenda. Beins seconded.

Discussion: none.

Voting aye: Balthazor, Baumgartner, Beins, Cerny, Dunn, Engler, Hakel, Hughes, Lans, Olson, Rasmussen, Rudolph, Snyder, Surber, Westcott. Voting nay: none. Absent: Buscher, Yetter. Motion carried.

Bruce Beins, Vice-Chairperson, on behalf of the EMS Statewide Conference Committee, welcomed and invited the Board to the 26th Annual Statewide EMS Conference. He stated that today, Thursday, July 7, 2005 is the pre-conference skills day. The conference will run from Friday, July 8, 2005, through Sunday, July 10, 2005 with classes starting at 7:00 a.m.

APPROVAL OF MINUTES – APRIL 8, 2005

Baumgarnter moved to approve the April 8, 2005, Board of Emergency Medical Services Minutes as corrected. Rudolph seconded.

Discussion: Bob Olson, Chairperson, stated that on page twelve the word “tech” should be changed to “teach”.

Voting aye: Westcott, Surber, Snyder, Rudolph, Rasmussen, Olson, Lans, Hughes, Hakel, Engler, Dunn, Cerny, Beins, Baumgartner, Balthazor. Voting nay: none. Absent: Buscher, Yetter. Motion carried.

APPLICATIONS FOR LICENSURE

SERVICE APPLICATIONS

Beins moved to approve Kimball Health Services EMS as an Advanced Life Support Service pending their physician medical director signing their equipment list, infectious control procedures and quality improvement plan. Balthazor seconded.

Discussion: Shawn Baumgartner did the site visit. Kimball Health Services EMS will be a non-transport advanced life support service until they receive the new ambulance unit. The new ambulance unit should be there in about thirty days. Baumgartner stated that they had everything in order except for their physician medical director signing their equipment list, infectious control procedure, and quality improvement plan. The physician medical director has reviewed these items.

Voting aye: Lans, Hughes, Hakel, Engler, Dunn, Cerny, Beins, Baumgartner, Balthazor, Olson, Rasmussen, Rudolph, Snyder, Surber, Westcott. Voting nay: none. Absent: Buscher, Yetter. Motion carried.

Rudolph moved to approve Central City Ambulance Service as an Advanced Life Support Service pending their protocols are signed by their physician medical director. Baumgartner seconded.

Discussion: Earl Rudolph did the site visit. They had everything in order and meet the requirements except for having their protocols signed by their physician medical director.

Voting aye: Westcott, Surber, Snyder, Rudolph, Rasmussen, Olson, Lans, Hughes, Hakel, Engler, Dunn, Cerny, Beins, Baumgartner, Balthazor. Voting nay: none. Absent: Buscher, Yetter. Motion carried.

Rudolph moved to approve Pleasant Dale Rural Volunteer Fire Department as a Basic Life Support Service pending the receipt of all required paperwork. Baumgartner seconded.

Discussion: Earl Rudolph did the site visit. Rudolph stated that they were missing some of the required paperwork. Rudolph will provide a list of the missing paperwork to the Department. He will also be working with the service on the required paperwork. Their equipment and training does meet the requirements.

Voting aye: Olson, Rasmussen, Rudolph, Snyder, Surber, Westcott, Balthazor, Baumgartner, Beins, Cerny, Dunn, Engler, Hakel, Hughes, Lans. Voting nay: none. Absent: Buscher, Yetter. Motion carried.

Bob Olson, Chairperson, stated that the Department had received an application from Dundy County Ambulance / Benkelman to provide service as a basic life support service. Dundy County Ambulance / Benkelman would like to practice as a basic life support service instead of being affiliated with the Dundy County Ambulance / Haigler/ Benkelman advanced life support service. Olson stated that this application will be tabled to the next board meeting because of the time constraint and not being able to do their site visit.

Bob Olson, Chairperson, stated that the Department received an application from Plattsmouth Volunteer Rescue Squad to practice as an advanced life support service. This application will be tabled. Olson stated that he scheduled their site visit. They were missing some forms. Olson sent those forms to them. They have sent those forms back to Olson. They postponed their site visit because they felt they did not have everything in order. They will contact Olson to reschedule their site visit.

Rudolph moved to approve Ponca Hills Volunteer Fire Department as an Advanced Life Support Service. Baumgartner seconded.

Discussion: Bob Olson did the site visit. Olson stated that this service is one of the services that was under the Immanuel Medical Center Advanced Life Support Service. They are now applying for their own license and meet the requirements.

Voting aye: Balthazor, Baumgartner, Beins, Cerny, Dunn, Engler, Hakel, Hughes, Lans, Westcott, Surber, Snyder, Rudolph, Rasmussen, Olson. Voting nay: none. Absent: Buscher, Yetter. Motion carried.

Rudolph moved to approve Odell Volunteer Fire Department Q.R.T. as a Basic Life Support Service. Baumgartner seconded.

Discussion: Bob Olson did the site visit. This is a non-transport service. They have everything in order and meet the requirements.

Voting aye: Olson, Rasmussen, Rudolph, Snyder, Surber, Westcott, Balthazor, Baumgartner, Beins, Cerny, Dunn, Engler, Hakel, Hughes, Lans, Voting: none. Absent: Buscher, Yetter. Motion carried.

Bob Olson, Chairperson, "Thanked" Dave Henske and Diane Hansmeyer for having everything in order for Bradshaw and Waco Basic Life Support Service applications. These two services had emergency medical technicians on their services and needed their services licensed so they could continue providing emergency care services to the public.

INVESTIGATIONS REPORTS

Snyder moved to go into closed session at 10:15 a.m. for the purpose of protecting the reputation of individuals and reviewing investigation reports. Lans seconded.

Discussion: none.

Voting aye: Balthazor, Baumgartner, Beins, Cerny, Dunn, Engler, Hakel, Hughes, Lans, Olson, Rasmussen, Rudolph, Snyder, Surber, Westcott. Voting nay: none. Absent: Buscher, Yetter. Motion carried.

Engler stepped out at 11:05 a.m. Returned to closed session at 11:15 a.m.

Rudolph stepped out at 11:40 a.m. Returned to closed session at 11:45 a.m.

Returned to open session at 12:30 p.m.

APPLICATIONS FOR LICENSURE

INDIVIDUAL CERTIFICATIONS

Baumgartner moved to approve Craig D Brendon, Jeremy Brungard, Benjamin J. Kolar, Kristina A Manasil, Ricky Lee Mitchell, William W Orr, Cory Levos, to practice as certified emergency medical technicians and Adam G Nielsen to practice as a certified emergency medical technician intermediate. Westcott seconded.

Discussion: none.

Voting aye: Balthazor, Baumgartner, Beins, Cerny, Dunn, Engler, Hakel, Hughes, Lans, Olson, Rasmussen, Rudolph, Snyder, Surber, Westcott. Voting nay: none. Absent: Buscher, Yetter. Motion carried.

Hakel moved to rescind the mail ballot for Gary A. Remmenga. Snyder seconded.

Discussion: none.

Voting aye: Westcott, Surber, Snyder, Rudolph, Rasmussen, Olson, Lans, Hughes, Hakel, Engler, Dunn, Cerny, Beins, Baumgartner, Balthazor. Voting nay: none. Absent: Buscher, Yetter. Motion carried.

Hakel moved to approve Gary A Remmenga to practice as a certified emergency medical technician. Rudolph seconded.

Discussion: none.

Voting aye: Olson, Rasmussen, Rudolph, Snyder, Surber, Westcott, Balthazor, Baumgartner, Beins, Cerny, Dunn, Engler, Hakel, Hughes, Lans. Voting nay: none. Absent: Buscher, Yetter. Motion carried.

Baumgartner moved to approve a probation certification for Kyle J Thunker for six months to practice as a certified first responder pending receipt of a letter explaining leaving the scene of an accident and the approval of Balthazor, Beins and Olson. The probationary license will be issued with the following conditions: 1. Obey all state and federal laws and the rules and regulations regarding the practice of emergency medical services; 2. Provide notice to your emergency medical service or any potential emergency medical service, which you provide emergency services, of the probationary requirements. 3. Report any convictions. The reasons for these probation conditions are based on Mr. Thunker's conviction for leaving the scene of an accident in 2003 and several convictions when Mr. Thunker was a minor. Beins seconded.

Discussion: none

Voting aye: Westcott, Surber, Snyder, Rudolph, Rasmussen, Olson, Lans, Hughes, Hakel, Engler, Dunn, Cerny, Beins, Baumgartner, Balthazor. Voting nay: none. Absent: Buscher, Yetter. Voting nay: none. Absent: Buscher, Yetter. Motion carried.

Baumgartner moved to deny Matthew E McQuire's application for a certificate to practice as an emergency medical technician because of failure to report the following convictions: 1. Urinating in public – 10/23/98; 2. Operating a motor vehicle without an operator's license – 1/30/00; 3. Operating a motor vehicle at night without headlights – 1/30/00; 4. Urinating in public – 4/12/01; 5. Suspended license – 11/24/02; 6. Suspended license – 02/01/03; 7. No proof of financial responsibility – 02/01/03; 8. Suspended license – 11/03/03; 9. No proof of financial responsibility – 11/03/03; 10. Suspended license – 2/4/04; 11. No proof of financial responsibility – 2/4/04; 12. Fail to appear in court – 3/11/04. This denial is based on the following: 1. Neb. Rev. Stat. 71-147(4), which states that a certificate may be denied when the applicant is guilty of conviction of a misdemeanor or felony under state law, federal law, or the law of another jurisdiction and which, if committed with this state, would have constituted a misdemeanor felony

under state law and which has a rational connection with the applicant's fitness or capacity to practice the profession; and 2. Neb. Rev. Stat. 71-147(1), which states that a certificate may be denied when the applicant is guilty of fraud, forgery, or misrepresentation of material facts in procuring or attempting to procure a certificate.

Snyder seconded.

Discussion: none.

Voting aye: Lans, Hughes, Hakel, Engler, Dunn, Cerny, Beins, Baumgartner, Balthazor, Westcott, Surber, Snyder, Rudolph, Rasmussen, Olson. Voting nay: none. Absent: Buscher, Yetter. Motion carried.

THE NATIONAL EMS SCOPE OF PRACTICE MODEL

There is nothing new to report at this time.

NURSE'S SCOPE OF PRACTICE SUBCOMMITTEE

There is nothing new to report at this time.

PROPOSED LEGISLATION

Bob Olson and Mike Buscher attended the HHS, Department of Regulation and Licensure, Credentialing Division, All Boards Meeting. Almost all Boards were represented at this meeting. The Uniform Licensing Rewrite was reviewed at the All Boards Meeting. The board members at this meeting provided input for the Uniform Licensing Rewrite. This information will be provided to the Department for their review. The Department also received input from a previous meeting held with all the Associations. The Department is working with the Attorney General's office regarding the Uniform Licensing Rewrite because they had some concerns with some of the changes that deal with discipline. Once all the information is compiled, the Department will give the Board a copy of the proposed legislation. Hansmeyer stated that will probably be sometime in September or October. Beins stated that public hearings will be held on September 26, 2005 in North Platte and October 4th through the 13th in Omaha. These public hearings will give this Board an opportunity to make comments.

A question was asked what is the consensus on the wording of "advice" versus "approval". Hansmeyer stated the consensus seems to be for the word "approval".

A question was asked if they are still set on the "two-year renewal". Hansmeyer stated that she was not for sure at this time because this was not an issue with other Boards. Hansmeyer stated that if the Department did decide to go to a two-year renewal the continuing education would be adjusted for example instead of thirty hours of continuing education it would be twenty hours of continuing education. Beins asked the question would it not be more cost efficient to go to a five-year renewal instead of the two-year renewal. Hansmeyer explained that it would be more cost efficient for the Department, however, the concern is the disciplinary actions of reporting misdemeanors and felonies. Misdemeanor and felonies need to be reported sooner than at the time of a five-year renewal.

Hansmeyer stated that another issue at the All Boards Meeting was why Emergency Medical Services and Well Drillers boards are appointed by the Governor instead Board of Health.

Olson stated that another issue at the All Boards Meeting was the number of public members on a board. Hansmeyer explained that a national study was done called the PEW Commission Report. This study brought people in from all across the United States that had to do with credentialing. The public's concern was there should be more public members on a Board because a profession is providing services to the public. The small boards will have at least two public members. In the Uniform Licensing Rewrite, it will require a board that has more than eight board members to have at least three public members. The Department will be reviewing the issue of public members having any kind of affiliation with the profession of a Board.

EMT-B ADVANCED AIRWAY MODULE

Beins stated that in the Advanced Airway Module all airway devices are required by the State to be taught instead of the airway device that the physician medical director may require. Hansmeyer explained that when the Advanced Airway Module was developed the issue was to have all out-of-hospital emergency care providers taught with all airway devices listed in the curriculum so there would be consistency of airway skills. There is no standard for emergency medical technicians if the Board allows services to pick one device. It is the ambulance service's physician medical director who will determine which airway device to utilize.

The Board had discussion on the advance modules adding hours to the emergency medical technician course and if the advance modules take away from preparing for the National Registry examination. The Board may need to look at this issue before adding any future airway devices or modules.

The question was asked if a physician medical director could teach the advanced airway device that he would prefer his service to utilize. Hansmeyer explained that all out-of-hospital emergency care providers are required to go through a training agency for advanced airway training so there would be consistency across the state. The training agencies are required to teach all advance airway devices and are required to test all out-of-hospital emergency care providers on those advanced airway devices. The Advanced Airway Module is a set curriculum taught by primary EMT Instructors. Any Physician Medical Directors, who become certified as a primary EMT Instructors, can teach the advanced airway curriculum through an approved training agency.

NATIONAL REGISTRY FOCUS GROUP MEETING

Diane Hansmeyer stated that Bill Brown, Executive Director of the National Registry, will be at the Midtown Holiday Inn on July 15, 2005 from 10:00 a.m. to 3:00 p.m. for a presentation and input on computer adaptive testing. National Registry will be utilizing Pearson Vue testing centers to administer the computer-based examinations. Pearson Vue has testing centers in South Sioux City, Omaha, Lincoln, North Platte, Hastings, and Scottsbluff. Hansmeyer stated that National Registry has agreed to add a site in

McCook and in the Ainsworth area. Pearson Vue also has testing centers in Colby, Kansas and Sterling, Colorado. National Registry is not raising their fees, however, they are adding the computer costs to the cost of the written examination. National Registry will have all levels of the written examinations given at the testing centers. Hansmeyer explained that if a group of people would like to test together and notified National Registry in ample time of taking the written examination, Pearson Vue is willing to book the site so they could take the written examination together. As of January 1, 2007, there will no longer be paper and pencil testing for National Registry. Hansmeyer stated that this presentation would be a good time for the Board to voice any concerns it has. A couple of the Board's concerns was the accessibility of the sites and the costs of the examinations.

Hansmeyer assured the Board that the State will work with National Registry on additional sites. She stated that a letter of invitation for this meeting was sent to all ambulance services to send a representative, Training Agencies, Physician Medical Directors, EMT Instructors, board members, Health and Human Services Committee, and some public members.

A question was asked is there any kind of assistance on how to actually use the computer for the written examinations. Hansmeyer explained that there is a tutorial that will be given to each candidate.

PROPOSED RULES AND REGULATIONS / PUBLIC HEARING

The draft copies of the 172 NAC 11, 172 NAC 12, 172 NAC 13, and 172 NAC 14 were sent to all the board members. (Attachments A, B, C, and D) The Public Hearing is scheduled for July 21, 2005 at 9:00 a.m. in the State Office Building, Lower Level Conference Room F, 301 Centennial Mall South, Lincoln, NE. They will start with 172 NAC 14.

Diane Hansmeyer stated that in 172 NAC 13, Section 13-004.10, item 5, was added "Conduct semi-annual meetings with each EMS course instructor for the purpose of discussing training issues and identifying any instructional needs. These meetings may be held face to face or by other means of telecommunications. These meetings must be documented. The documentation must be maintained for five years." This was voted on at the last board meeting.

Comments will be taken at the public hearing. Written comments can be made up until July 23, 2005 at 5:00 p.m. After the public hearing, the Board must hold a meeting to address those comments.

The Board pointed out that in 172 NAC 11, Section 11-006.03, item 17(t), the wording "Vasopression" should be spelled "Vasopressin". Diane Hansmeyer stated that she would make that correction and also point that out at the public hearing.

Earl Rudolph stated that since there were some new standards in the Intermediate 99 curriculum it was suggested to him that the Board add the drugs of Glucagon and Benadryl. Diane Hansmeyer explained that if the Board added those drugs today it would delay moving forward with the amended rules and regulations. The question was asked could these drugs be added through public comments during the public hearing

on July 21, 2005. Hansmeyer stated that she would need to ask the Legal Department if this was possible. The Board did not want to delay moving forward with the amended rules and regulations if the drugs could not be added through the public comment process. They would then need to be added with the next set of amendments to the rules and regulations at a later date.

Shawn Baumgartner suggested in the next set of amendments to the rules and regulations to add mandatory reporting to the requirements in 172 NAC 12, Emergency Medical Services.

Diane Hansmeyer stated that she brought a copy of the new Federal Specifications for Ambulance, KKK-A-1822E. She asked the Board if they think this should be changed in 172 NAC 12, Section 12-003.04A1. The Board pointed out this was already made to the draft copy. Hansmeyer explained that this was done in error. Earl Rudolph stated when he was doing a site visit he became aware of an issue purchasing or selling an ambulance unit that did not meet KKK-A-1822C and was purchased before 1999. Hansmeyer explained that an ambulance service may sell an ambulance unit to another ambulance service if that unit was previously used by the ambulance service that was selling the unit. The problem becomes when an ambulance unit is sold to a retailer and that unit doesn't meet the KKK-A-1822C. She further stated the statutes say ambulances used for transportation of patients that are owned by licensed emergency medical service prior to the effective date of the rules and regulations may continue to be used as ambulances. The effective date of the rules and regulations was March 9, 1999. Hansmeyer stated that retailers are aware of the law that ambulance units must meet the Federal Specifications for Ambulance, KKK-A-1822C. The question became did the Board want to change the wording from "KKK-A-1822C" to KKK-A-1822E". The Board felt at this time they should leave the wording at "KKK-A-1822C" due to having a large number of small ambulance services in Nebraska. The Board will need to revisit this issue at a future date because they felt that brand new ambulances unit should meet the most current version of the Federal Specifications for Ambulances. Hansmeyer will work with the Legal Department to correct the wording back to "KKK-A-1822C". The Board asked Diane Hansmeyer to check the date for when "KKK-A-1822C" became effective and email the board members with that information.

INFORMATION ON RESEARCH PROJECTS

There is nothing new to report at this time.

OUT-OF-HOSPITAL PERSONNEL SUBCOMMITTEE

There is nothing new to report at this time.

TRAINING AGENCIES AND SERVICE PROGRAMS SUBCOMMITTEE

There is nothing new to report at this time.

NON-STATE REGULATORY ISSUE SUBCOMMITTEE

There is nothing new to report at this time.

407 REVIEW / LEGISLATIVE SUBCOMMITTEE

Bruce Beins read a part of the final report that the Nebraska Emergency Medical Services Association received from the lobbyist. The Nebraska Legislature concluded this year's legislative session on June 13, 2005. The ninety-day session leaves, as is a 6.1 million dollar two-year budget for the State of Nebraska and two hundred and seventy pieces of legislation. Legislation that was not passed or postponed will be carried over to the 2006 Legislature, which commences on January 4, 2006. During this upcoming summer and fall, the Legislature will conduct interim studies. These studies will target issues more in depth that will be discussed in a more intensive legislative session. Beins stated you can go to the Unicameral web site to view those studies. Term limits for Nebraska Senators will be going into effect. There will be a total of twenty Senators that will be serving their last term in the Legislature. Beins stated that Nebraska Emergency Medical Service Association testified on a lot of bills during the legislative session. He also stated that the Legislature appropriated an additional \$50,000.00 of funding for EMS education. The purpose for the additional funding is to reimburse advance providers for their training costs. The helmet laws remain on Select File. The effort to eliminate the EMS report to the Legislature was amended out of the bill before it was moved forward. The Chairperson of the Education Committee and majority of its members oppose LB527, the Line of Duty Dependent Act. The Mutual Aid Law, LB163, is still pending for next year and will have an interim study.

Hansmeyer stated another interesting item is that the Legislature did pass the law that will require any new applicant for physicians, nurse practitioners, and a few other professions to have a criminal background check. It does not include Emergency Medical Services at this time. She said that the Department is now reviewing the process on how this will be accomplished for the State of Nebraska. She further stated that it would add time to processing of those applications. If or when this issue includes the out-of-hospital emergency care providers, the Board may need to look at issuing some kind of temporary license because of the time constraints of processing a criminal background check.

PROTOCOLS / NARSIS SUBCOMMITTEE

Beins stated once the amended rules and regulations are approved, the subcommittee will have to do a rewrite of the model protocols to reflect those amendments. The subcommittee will also review and update the recommended equipment list at that time.

REAFFIRMATION OF MAIL BALLOTS

Snyder moved to reaffirm the mail ballots for Bradshaw Fire and Waco Volunteer Fire Department to practice as Basic Life Support Services and Douglas R Graber, James

Iron Thunder, Matthew J. Schultz, Justus J Foged, Erich Sawyer, to practice as certified emergency medical technicians and Michael A Vorderstrasse's recertification to practice as a certified emergency medical technician and Daniel D Davis, Terry Seals, to practice as certified 1st responders. Lans seconded.

Discussion: none.

Voting aye: Lans, Hughes, Hakel, Engler, Dunn, Cerny, Beins, Baumgartner, Balthazor, Westcott, Surber, Snyder, Rudolph, Rasmussen, Olson. Voting nay: none. Absent: Buscher, Yetter. Motion carried.

MISCELLANEOUS BUSINESS

Bob Olson stated the next board meeting will be on September 22, 2005 at the New World Inn in Columbus, NE. The board meeting is in conjunction with the Leadership Conference put on by the EMS Program. The Board is invited on September 21, 2005, to have an open session with the public that is present at the Leadership Conference. EMS Programs will provide rooms for any board members who attend the Leadership Conference on September 21, 2005.

Baumgartner moved that the Department send a letter to all ambulance services and training agencies explaining mandatory reporting. Snyder seconded.

Discussion: none.

Voting aye: Olson, Rasmussen, Rudolph, Snyder, Surber, Westcott, Lans, Hughes, Hakel, Engler, Dunn, Cerny, Beins, Baumgartner, Balthazor. Voting nay: none. Absent: Buscher, Yetter. Motion carried.

There being no further business, Bob Olson, Chairperson, adjourned the meeting at 2:30 p.m.

Shawn Baumgartner, Secretary